

CORRECTED COPY*

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR
SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423
HEARING DATE: JANUARY 5, 2005

NOVEMBER 5, 2004 NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON JANUARY 5, 2005 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. *71723 J.K.CAPITOL, INC. T/A CAPITOL HILL MARKET RETAILER'S CLASS "B" 241 MASSACHUSETTS AVENUE, NE WARD 6 ANC 6C08

LICENSEE REQUEST TO CHANGE THE HOURS OF OPERATION AND HOURS OF ALCOHOL SALES TO REFLECT THE FOLLOWING:

CURRENT HOURS OF OPERATION

SUNDAY, 8AM-7PM

MONDAY THRU SATURDAY, 8AM-9PM

PROPOSED HOURS OF OPERATION

SUNDAY THRU SATURDAY, 8AM -10PM

CURRENT HOURS OF ALCOHOL SALES

SUNDAY, 9AM-7PM

MONDAY THRU SATURDAY, 9AM-9PM

PROPOSED HOURS OF ALCOHOL SALES

SUNDAY – SATURDAY, 9AM-10PM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
DECEMBER 21, 2004

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7TH FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 1/12/2005
PETITION DATE 12/28/2004
POSTING DATE 11/12/2004

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE:

APP. NO. 26833 Bioko Restaurant ,inc.
LIC. NO. 25130 T/A BIKO RESTAURANT & NIGHCLUB
ANC 4D01 5313 Georgia Ave NW
Retailer CR 01

APP. NO. 36429 K Lounge Llc
LIC. NO. 60767 T/A KILI'S KAFE & LOUNGE & UNIVERSITY CITI CATERER
ANC 1B01 2009 8th St NW
Retailer CN 03

APP. NO. 11696 Mikal, Inc.
LIC. NO. 60696 T/A ANACOSTIA DELI
ANC 8A03 1303 GOOD HOPE ROAD S.E.
Retailer B

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

NOTICE OF PUBLIC HEARING

The District of Columbia Public Charter School Board invites the public to participate in a public hearing to obtain comment on proposed revisions to its Charter Review Framework (formerly known as Fifth-Year Review Framework), which is required by the DC School Reform Act, as amended. The hearing will be held on **Monday, November 15, 2004** from **6:30 – 7:30 PM** at **Carlos Rosario International Public Charter School, 1100 Harvard Street, NW** (Columbia Heights Metro Station – Green Line). *Those planning to attend are strongly encouraged to use the Metro due to extremely limited parking.*

According to the Act, the chartering authorities are required to review each public charter school “once every five years” to determine if the charter should be revoked due to a school’s failure “to meet the goals and academic achievement expectations set forth in the charter.”

The Board is revising the existing framework to more fully reflect all aspects of charter school performance—academic, non-academic, and organizational performance. The Board will decide on the final framework in December 2004, to take effect during the 2005-2006 charter review cycle.

Individuals who wish to testify should call the Board's office at (202) 328-2660 by 3:00 PM on the day of the hearing to be placed on the hearing schedule and should send, by December 3, 2004, written comments to Tamara Lumpkin, Deputy Director, DC Public Charter School Board, 1436 U Street, NW, Suite 401, Washington, DC 20009. Copies of the draft framework will be available, beginning November 1, 2004, by calling the Board's office; faxing a request to 202-328-2661; or sending an e-mail to cdavis@dcpubliccharter.com.

Sign and/or Spanish language interpretation will be available upon request. Members of the public needing these services are requested to contact the Board no later than November 10, 2004 so that arrangements can be made.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, January 6, 2005, @ 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 01-13A (Modification to PUD – International Monetary Fund)

THIS CASE IS OF INTEREST TO ANC 2A

On September 30, 2004, the Office of Zoning received a request from the International Monetary Fund (the "Applicant") for minor modifications to Zoning Commission Order No. 960 (Revised), effective July 12, 2002 (the "Order"). The Applicant requested that two conditions in the Order be modified and that the modification be considered by the Commission on its consent calendar at its October 25, 2004, public meeting. At that meeting, the Zoning Commission determined that the requested modifications should be considered at a public hearing. Upon waiving the regulations related to set down, the Zoning Commission voted to consider the request at a hearing.

The Applicant requests that the Zoning Commission modify Condition No. 8(a), which currently provides for the replacement of benches in the four triangular parks adjacent to the site, to read as follows:

Condition No. 8(a): IMF shall expend the total sum of \$250,000 for (a) the design of a new, segmented park bench prototype; and (b) the ongoing enhanced maintenance and repair of the three (3) triangular parks immediately to the west and northeast of the Site along Pennsylvania Avenue, NW. IMF shall enter into an agreement with the National Park Service regarding the use of these funds prior to the issuance of a certificate of occupancy for HQ2.

The Applicant also requests that the Zoning Commission modify the last sentence of Condition No. 8(e), which relates to the timing of the special neighborhood beautification projects, to read as follows:

The IMF shall enter into a letter agreement with Green Spaces for D.C. and deposit a check with Green Spaces for D.C. for the special neighborhood beautification projects endorsed by the Department of Transportation or Department of Public Works prior to issuance of a certificate of occupancy for HQ2.

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This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning. The scope of this hearing is strictly limited to the proposed modifications set forth above. Testimony on any other issue or condition will be outside the scope of this hearing and will not be considered.

How to participate as a witness.

Interested persons or representatives of organizations will be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;

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- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest such person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

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Time Limits.

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

- | | | |
|----|----------------------------------|-----------------|
| 1. | Applicant and parties in support | 15 minutes each |
| 2. | Parties in opposition | 15 minutes each |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, January 27, 2005 @ 6:30 P.M.**
 Office of Zoning Hearing Room
 441 4th Street, N.W. - Suite 220-S
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 04-22 (Abdo Development, LLC – 220 H Street, N.E.)

THIS CASE IS OF INTEREST TO ANC 6C

On September 13, 2004, the Office of Zoning received an application from Abdo Development, LLC (the "Applicant"), requesting consolidated review and one-step approval of a Planned Unit Development (PUD) and a corresponding amendment to the Zoning Map of the District of Columbia in order to develop a residential project on the subject property, 220 H Street, N.E. (Square 751, Lot 13).

The property that is the subject of this application consists of approximately 104,756 square feet of land area, and includes all of the land in the block that is bound by H, I, Second and Third Streets, N.E. The subject property was most recently the home of the Capital Children's Museum. The proposed project will restore the original historic buildings on the property and will allow for development of two new residential buildings on the property.

The property is currently split-zoned, with the western half of the site located in the C-3-B District and the eastern half of the site located in the C-3-A Zone District. The Applicant requests a Zoning Map amendment to the C-3-C District for the subject property to accommodate the proposed residential development.

The PUD guidelines for the C-3-C Zone District allow a height of 130 feet, and a maximum density of 8.0 FAR for residential or non-residential uses. The C-3-C District, as a matter of right, permits a maximum height of 90 feet, a maximum lot occupancy of 100% and a maximum density of 6.5 FAR for residential and non-residential uses.

Consistent with the PUD guidelines for the C-3-C District, the project will include a total of 599,134 square feet of gross floor area, will have a total FAR of approximately 5.72, and will occupy 65% of the subject property. The existing Capital Children's Museum building has a height of approximately 64 feet measured from 3rd Street, and the new buildings will be approximately 110 feet in height, measured from I Street, to the top of the roof. In total, the project will include approximately 500 new residential units (approximately 435-445 units in the new buildings and approximately 55 in the existing building). All of the residential units will be for-sale units. The project will also include approximately 19,852 square feet of affordable housing. The main lobbies of the buildings will be accessed from the I Street entrance to the

project via a set of arcades. The proposed project will also provide residential recreation space in landscaped open spaces in the interior of the site, on the roofs of the new buildings and in the restored small 2-story historic building located in the interior of the site. This building will be used as a central amenities building for the entire complex. Access to the below grade parking garage containing approximately 500 spaces will be from Second Street. A vehicular entrance and exit for resident and guest drop-off and pick-up only will be located on I Street, and a pedestrian only entrance and exit will be located on Third Street. The proposed project will include extensive hardscape and landscape improvements on private and public property to improve the streetscape on all four sides of the square.

The Applicant contends that the proposed project, use, and change in zoning are not inconsistent with the *Comprehensive Plan for the National Capital*. The architects for the Applicant are Esocoff & Associates Architects; the land use counsel are Allison C. Prince and Paul A. Tummonds, Jr. of Shaw Pittman, LLP.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938 (52 Stat. 797), as amended, and D.C. Official Code § 6-641.01 *et seq.* (2001).

This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning.

Interested persons or representatives of organizations will be heard at the public hearing. Any person who desires to participate as a party in this case must so request, and must comply with the provisions of 11 DCMR § 3022.3. A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Rules. Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, the following information:

- (a) The person's name and address;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel and, if so, the name and address of the legal counsel;
- (e) A list of witnesses who will testify on the person's behalf; and
- (f) A written statement setting forth why the person should be granted party status, including reference to the following:

- (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
- (2) The legal interest the person has in the property, such as owner, tenant, trustee, or mortgagee;
- (3) The distance between the person's property and the property that is the subject of the application before the Commission;
- (4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property, if the action requested of the Commission is approved or denied; and
- (5) An explanation of how the person's interests as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.
2. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes of qualifications of the proposed experts.
3. The total amount of time that will be required to present the case.

The applicant shall also submit the information cited above. To the extent that the information is not contained in the applicant's pre-hearing submission required by 11 DCMR § 3013.1, the information shall be filed no later than 14 days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC), pursuant to DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above. However, the written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

- 1. Applicant..... 60 minutes
- 2. Other Parties.....15 minutes
- 3. Organizations..... 5 minutes
- 4. Individuals..... 3 minutes

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points.

Information should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, GREGORY N. JEFFRIES, AND KEVIN HILDEBRAND ————— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.